



June 3, 2022

VIA ECF

The Honorable Katherine Polk Failla, U.S.D.J.
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: United States v. Cristobal, 20 Cr. 463 (KPF)

Dear Judge Failla:

I represent defendant Purificacion Cristobal, the defendant in the above-captioned matter. I write to seek a modification of Dr. Cristobal's conditions of release so that Dr. Cristobal has a curfew instead of home detention. I have conferred with Pretrial Services, who has no objection to this request, and the Government, which defers to Pretrial's position. The relief is sought because Dr. Cristobal, who is 75 years old, suffers from multiple health conditions, including interstitial lung disease and injuries from a fall. As a result, she has frequent doctors' appointments, sometimes several times a week and sometimes on short notice. It is therefore difficult to obtain advance approval for these appointments in a timely manner, and to predict how long the appointments will take given wait times at the doctor. A curfew would allow her more flexibility to tend to her serious health issues, while still allowing for close supervision by Pretrial Services.

By way of background, Dr. Cristobal was arrested on July 8, 2020 and released on a \$100,000 personal recognizance bond, which was cosigned by two financially responsible people. Among other conditions of release, Dr. Cristobal was required to surrender all travel documents and not to apply for any new ones. In December 2021, the Court modified Dr. Cristobal's conditions of release after Dr. Cristobal applied for, though never received, a new passport. The modified conditions included monitoring on home detention, and that Dr. Cristobal execute a Confession of Judgment. Dr. Cristobal has since executed a Confession of Judgment and has been compliant with the home detention conditions. Dr. Cristobal has lived in the United States for 50 years, she owns a home in New Jersey, for which she has executed a Confession of Judgment and she is a U.S. citizen. She also does not have any passports in her possession, as she surrendered an invalid passport to the State Department and has never received a new one. Through her recent suppression motion, Dr. Cristobal has further shown that she is committed to fighting her case in court. She therefore has strong ties to the community and she is not a flight risk.

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We would be happy to provide the Court with any requested additional information.
Thank you for your consideration of this request.

Sincerely,

/s/ Kristen M. Santillo

Kristen M. Santillo

Application GRANTED. Defendant Purificacion Cristobal's conditions of pre-trial release are hereby MODIFIED to include curfew, rather than home detention, as directed by Pretrial Services.

The Clerk of Court is directed to terminate the motion at docket entry 68.

Dated: June 3, 2022
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE